

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

U.S. BANKRUPTCY COURT X
NORTHERN DISTRICT OF IOWA

APR 08 1996

In re:

BARBARA A. EVERLY, CLERK

MARY C. WALKER,

Chapter 7

Debtor.

Bankruptcy No. 95-31135XF

MARY C. WALKER,

Plaintiff,

Adversary No. 95-3129XF

vs.

UNITED STATES OF AMERICA,
IOWA HIGHER EDUCATION LOAN
PROGRAM and UNION BANK & TRUST,

Defendants,

and

IOWA COLLEGE STUDENT AID
COMMISSION,

Intervener.

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing, upon stipulation of the parties, upon stipulation of the parties,

IT IS ORDERED ADJUDGED AND DECREED that the complaint of plaintiff Mary C. Walker is dismissed.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that judgment in favor of intervener Iowa College Student Aid Commission is entered against plaintiff Mary C. Walker in the negotiated sum of \$29,495.72. No interest shall accrue on the judgment amount for a period of thirty-six (36) months, commencing on the first day of the next full month following date of entry of this judgment, nor shall interest accrue from date of judgment to date of commencement of the thirty-six (36) month period. The amount left due and owing after the thirty-six month interest free period shall accrue simple interest at the rate of 9% per annum. No execution shall issue upon this judgment during the period which the plaintiff faithfully pays directly to the Iowa College Student Aid Commission the sum of \$225.00 per month, commencing on the fifteenth day of the next full month following date of entry of this judgment (10 day grace period), and continuing

thereafter on the fifteenth day of each month until the entire principal balance plus accrued interest have been paid in full. The repayment period for the judgment shall be 25 years, with no prepayment penalty. Proof of default by the plaintiff shall be made by the filing of an affidavit by the intervener herein as to the defaults of the plaintiff, specifying them, and upon the filing of such an affidavit of default, execution may issue at any time, without further notice, upon the request of the intervener.



BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Larris Seagle*
Deputy Clerk

[Seal of the U.S. Bankruptcy Court]
Date of Issuance: April 8, 1996

U.S. BANKRUPTCY COURT X
NORTHERN DISTRICT OF IOWA

APR 03 1996

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:

MARY C. WALKER,
Debtor.

Bankruptcy No. 95-31135XF

MARY C. WALKER,
Plaintiff,

Adversary No. 95-3129XF

v.

UNITED STATES OF AMERICA,
IOWA HIGHER EDUCATION LOAN
PROGRAM, and UNION BANK & TRUST,

Defendants,

ORDER ALLOWING DISMISSAL
OF COMPLAINT AND GRANTING
COUNTERCLAIM JUDGMENT

and

IOWA COLLEGE STUDENT AID
COMMISSION,

Intervener.

This matter came on for scheduling conference on December 15, 1995. Appearing on behalf of plaintiff Mary C. Walker was attorney Leonard R. Holland. Appearing on behalf of intervener Iowa College Student Aid Commission was James S. Wisby, Assistant Attorney General. The Court was informed at this conference that neither the United States of America nor Union Bank and Trust Company/IHELP, both named defendants, are parties in interest to these proceedings. Neither of these defendants has filed an appearance herein.

The Court is now informed that settlement discussions have occurred between the parties. Pursuant thereto, counsel for plaintiff Mary C. Walker now requests permission to dismiss plaintiff's Complaint. Counsel for intervenor Iowa College Student Aid Commission has no objection to the dismissal.

IT IS THEREFORE ORDERED that the Complaint herein of plaintiff Mary C. Walker is dismissed.

IT IS FURTHER ORDERED that judgment in favor of intervenor Iowa College Student Aid Commission be entered against plaintiff Mary C. Walker in the negotiated sum of \$29,495.72. No interest shall accrue on the judgment amount for a period of thirty-six (36) months, commencing on the first day of the next full month following date of entry of this judgment, nor shall interest accrue from date of judgment to date of commencement of the thirty-six (36) month period. The amount left due and owing after the thirty-six (36) month interest free period shall accrue simple interest at the rate of 9% per annum. No execution shall issue upon this judgment during the period which the plaintiff faithfully pays directly to the Iowa College Student Aid Commission the sum of \$225.00 per month, commencing on the fifteenth day of the next full month following date of entry of this judgment (10 day grace period), and continuing thereafter on the fifteenth day of each month until the entire principal balance plus accrued interest have been paid in full. The repayment period for the judgment shall be 25 years, with no prepayment penalty. Proof of default by the plaintiff shall be made by the filing of an affidavit by the intervenor herein as to

the defaults of the plaintiff, specifying them, and upon the filing of such an affidavit of default, execution may issue at any time, without further notice, upon the request of the intervenor.

ORDERED: This 8th day of April, 1996.

WLED
WILLIAM L. EDMONDS, Chief Bankruptcy Judge

Approved as to form and content:

Mary C. Walker
MARY C. WALKER, Plaintiff

Leonard R. Holland
LEONARD R. HOLLAND
ATTORNEY FOR PLAINTIFF

James S. Wisby
JAMES S. WISBY 481500753
Assistant Attorney General
200-10th Street, 4th Floor
Des Moines, IA 50309-3609
(515) 242-6711

ATTORNEY FOR INTERVENER

Copies to:

James S. Wisby
Assistant Attorney General
200-10th Street, 4th Floor
Des Moines, IA 50309-3609

Leonard R. Holland
Attorney at Law
307 First Street, N.W.
P.O. Box 138
Dayton, IA 50530

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at his respective address as disclosed by the pleadings on record herein, with postage fully paid, and by depositing said envelope in a United States Post Office depository in Dayton IA on the 1 day of April, 1996.

Leonard R. Holland

copies of order and a judgment to:
James Wisby, Leonard Holland
and USTrustee on 4/8/96, ls

SEP 25 2000

IN THE UNITED STATES BANKRUPTCY COURT
Northern District of Iowa

IN RE:	*	
	*	
MARY C. WALKER,	*	Bky. No. 95-31135XF
	*	
Debtor.	*	
	*	
<hr/>		
MARY C. WALKER,	*	
	*	
Plaintiff,	*	
	*	
v.	*	
	*	
UNITED STATES OF AMERICA,	*	Adv. No. 95-3129XF
IOWA HIGHER EDUCATION LOAN PROGRAM,	*	
and UNION BANK & TRUST,	*	
	*	
Defendants,	*	SATISFACTION AND RELEASE
	*	OF JUDGMENT
and	*	
	*	
IOWA COLLEGE STUDENT AID COMMISSION,	*	
	*	
Intervener.	*	

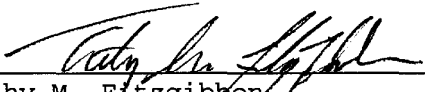
STATE OF IOWA)
) ss.
COUNTY OF POLK)

In consideration of consolidation by plaintiff-debtor Mary C. Walker of sums owed to the Iowa College Student Aid Commission pursuant to an Order Allowing dismissal and Granting Counterclaim Judgment filed April 8, 1996, in the United States Bankruptcy Court in and for the Northern District of Iowa, the Iowa College Student Aid Commission hereby declares said obligation satisfied and releases

*Recorded: Vol. IV
Page 78*

plaintiff-debtor Mary C. Walker from any further obligation
thereunder, effective this date.

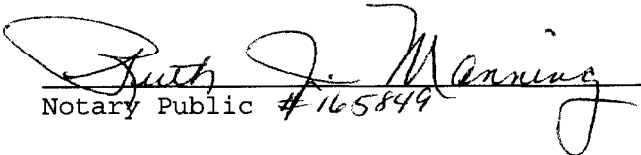
Dated this 19 day of September, 2000.



Timothy M. Fitzgibbon
Director of Finance and Claims
Iowa College Student Aid Commission

On this 19th day of September, 2000, before me, the
undersigned, a notary public in and for said county and state,
personally appeared Timothy M. Fitzgibbon to me known to be the
identical person named in and who executed the foregoing instrument,

and acknowledged that he executed the same as his voluntary act and
deed.



Notary Public #165849

My Commission Expires: July 20, 2001

*Copy to James
Weber 9-29-00
mg*